

THE RECORDING OF DEEDS, ETC., IN THE DISTRICT OF  
COLUMBIA.

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MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TO THE

*House of Representatives, returning, without his approval, the bill of the House (H. R. 1922) entitled "An act providing for the recording of deeds, mortgages, and other conveyances affecting real estate in the District of Columbia."*

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MAY 26, 1876.—Referred to the Committee on the Judiciary and ordered to be printed.

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*To the House of Representatives :*

I return herewith without my approval House bill No. 1922, entitled "An act providing for the recording of deeds, mortgages, and other conveyances affecting real estate in the District of Columbia."

The objection to affixing my signature to this bill may be found in the communication addressed to me by the Attorney-General, and which accompanies this message.

U. S. GRANT.

EXECUTIVE MANSION,  
May 26, 1876.

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DEPARTMENT OF JUSTICE,  
Washington, May 23, 1876.

SIR : In reply to your note of the 19th instant, in which you request me to report whether there are objections to your approval of "An act providing for the recording of deeds, mortgages, and other conveyances affecting real estate in the District of Columbia," being House bill No. 1922, I have the honor to state that the bill seems to me objectionable because of indefiniteness and uncertainty as to the time which it purports to fix when deeds of trust, mortgages, &c., shall take effect and be valid as to creditors and subsequent purchasers for valuable consideration without notice.

Although there is no constitutional objection to the act, yet, for the reason above stated, I hesitate to advise its approval.

Very respectfully, your obedient servant,

EDWARDS PIERREPONT,  
*Attorney-General.*

The PRESIDENT.

Forty-fourth Congress of the United States, at the first session, begun and held at the city of Washington, in the District of Columbia, on Monday, the sixth day of December, eighteen hundred and seventy-five.

AN ACT providing for the recording of deeds, mortgages, and other conveyances affecting real estate in the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That sections four hundred and forty-six and four hundred and forty-seven, of the Revised Statutes, relating to the District of Columbia, passed at the first session of the Forty-third Congress, eighteen hundred and seventy-three and eighteen hundred and seventy-four, be, and the same hereby are, repealed; and there is enacted, in lieu thereof, the following: All deeds, deeds of trust, mortgages, conveyances, covenants, agreements, or any instrument of writing, which is by law entitled to be recorded in the office of the recorder of deeds, shall take effect and be valid, as to creditors, and as to subsequent purchasers for valuable consideration without notice, from the time when such deed, deed of trust, mortgage, conveyance, covenant, agreement, or instrument in writing shall have been acknowledged, proved, or certified, as the case may be, and delivered to the recorder of deeds for record, and from that time only; and the recorder of deeds shall note on each deed or other instrument of writing required by law to be recorded, the time of delivery of the same to him to be recorded.

SEC. 2. That this act shall not be so construed as to affect any deed or other instrument of writing heretofore recorded.

SAMUEL S. COX,

*Speaker of the House of Representatives pro tempore.*

T. W. FERRY,

*President of the Senate pro tempore.*

I certify that this act originated in the House of Representatives.

Attest:

GEO. M. ADAMS,

*Clerk.*